

Claim 28. (new) A method for sending and receiving orders for goods, comprising:

providing a telephone having a customer memory at a customer site for storing and sending information;

storing, in a seller memory of a telephone at a seller site, information provided by said customer and keyed in by personnel at said seller site;

confirming, on a display of the telephone at the seller site, whether a telephone of said customer is memory equipped;

sending information stored in said seller memory from said telephone at the seller site to said customer memory for use during a subsequent order; and

connecting, by a telephone network, said telephone at a customer site with said telephone at a seller site while an order for goods is placed.

#### **REMARKS**

In the Final Office Action, the Examiner allowed claims 5-10 and 15 and objected to claim 2. The Examiner also rejected claims 1, 3, 4, 11-14, and 17-20. In particular, the Examiner rejected claims 1, 3, 4, 18, and 19 under 35 U.S.C. § 102(b) as anticipated by Benton et al., U.S. Patent No. 4,625,276. The Examiner rejected claims 11, 12, 16, 17, and 20 under 35 U.S.C. § 103(a) as obvious in view of Benton et al. Finally, the Examiner rejected claims 13 and 14 under 35 U.S.C. § 103(a) as obvious in view of Benton et al. and Haluska, U.S. Patent No. 5,638,519.

Although Applicant maintains that claims 1, 3, 4, 11-14, and 17-20 are allowable over the cited references, in order to move this case to allowance, Applicant has

canceled claims 2-4, 11-14, and 17-20. Applicant has also amended claim 1 to incorporate subject matter found allowable in claim 2. Finally, Applicant has added new claims 21-28, which are method claims corresponding to the allowed apparatus and system claims.

Therefore, Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1, 5-10, 15, and 21-28 in condition for allowance. Applicant submits that the proposed amendment of claim 1 and the addition of claims 21-28 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicant respectfully points out that the final action by the Examiner presented some new arguments as to the application of the art against Applicant's invention. It is respectfully submitted that the entering of the Amendment would allow the Applicant to reply to the final rejections and place the application in condition for allowance.

Finally, Applicant submits that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks and amendments, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the

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entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

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